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**APPLICATION NUMBER: 60/627,080**

**FILING DATE: *November 12, 2004***

**RELATED PCT APPLICATION NUMBER: *PCT/US05/11839***



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This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

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INVENTOR(S)		
Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)
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Additional inventors are being named on the _____ separately numbered sheets attached hereto		
TITLE OF THE INVENTION (500 characters max):		
LOOSE COFFEE POD APPARATUS, SYSTEM AND METHOD		
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<input checked="" type="checkbox"/> Specification Number of Pages <u>13</u>		
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SIGNATURE Grant H. Peters

Date November 12, 2004

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TELEPHONE 312-357-1313

(if appropriate)

Docket Number: 27726-97597

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PROVISIONAL PATENT APPLICATION

of

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for

LOOSE COFFEE POD APPARATUS, SYSTEM AND METHOD

Attorney Docket No. 27726-97597

## **LOOSE COFFEE POD APPARATUS, SYSTEM AND METHOD**

### **BACKGROUND**

**[0001]** A variety of brewing apparatus have been developed to combine heated water with a brewing substance such as ground coffee or tea material in order to infuse the material and produce a brewed beverage. There are many ways to combine the water with the brewing substance.

**[0002]** One way of brewing a beverage is to encapsulate the brewing substance in a filter material. The brewing substance in the filter material provides a convenient package for handling a predetermined quantity of brewing substance. The filter material provides a package or container for the brewing substance. This package allows the brewing substance to be handled prior to brewing and after brewing without complication or mess.

**[0003]** Such brewing substances pre-packaged in filter material are referred to as “pods” or “sachets.” Pods can be compressed while packaging in the filter material or left in a generally loose condition. Pods are typically circularly shaped and have a somewhat flattened configuration. Thus, pods often are provided in the shape of a disc or puck. Pods generally range in a size from approximately 45 mm to 60 mm and contain approximately 9-11 grams of brewing substance. The typical pod is used to produce approximately 8 ounces of brewed beverage. As a result, pods are generally used in conjunction with single-serve brewers (*i.e.*, one or two cup brewers) rather than the larger, multi-serve brewers.

**[0004]** Although convenient, pod use in single-serve brewers may be less desirable in some cases. For example, because the pods are prepackaged by a pod manufacturer, the selection of brewing substances is limited to the pod manufacturer’s selection. As a result, a consumer or user may not be able to use his/her favorite brewing substance when utilizing a prepackaged pod. Similarly, because the pods are prepackaged, varying the strength of the resultant beverage may be accomplished by increasing or decreasing the amount of brewing water delivered to the brewing substance or the pattern of delivering water to the brewing substances.

**[0005]** Uniform flavor extraction from the brewing material may be more difficult to achieve with a pod. Brewing substance is confined within the pod and generally is not free to

agitate in the brewing liquid. Instead, the brewing liquid tends to pass directly from the top of the pod to the bottom of the pod, collecting solubles as it passes through. This vertical flow pattern through the pod may result in some areas of the brewing substance being over extracted and other areas being under extracted. Accordingly, the flavor of the resulting beverage may be affected due to the non-uniform extraction of solubles, particles and other flavor characteristics from the particles of brewing substance.

**[0006]** Some developments may include a spring-loaded or other clam shell device. While such a clam shell device for holding loose coffee may include two partial container portions which include filter material. The partial container portions are brought together to retain a quantity of brewing substance there between. Water is passed through one portion, through the coffee retained therein, and out through the other portion. In this regard, this device can be used to infuse a coffee beverage or other brewing substance. However, such clam shell devices may not satisfy all of the requirements for a viable device depending on the construction and design, such that it may require some effort to fill, brew and clean.

**[0007]** In some instances, access to prepackaged pods is limited due, in part, to their proprietary nature (*i.e.*, certain prepackaged pods are suitable for use in a particular single-serving brewer) and their associated limited distribution. For example, some brands of prepackaged pods associated with the more expensive single-serving brewers may only be purchased from high-end department stores or mail/Internet ordering.

**[0008]** It would be desirable to provide some apparatus and method of selective containment of the brewing substance used in a brewer.

**[0009]** It would be desirable to provide the ability to allow a user to select the brewing substance used in a brewer.

**[0010]** It would be desirable to provide an ability to adjust the quantity of brewing substance used in a brewer.

## **DESCRIPTION OF THE DRAWINGS**

**[0011]** The organization and manner of the structure and function of the disclosure, together with the further objects and advantages thereof, may be understood by reference to the following description taken in connection with the accompanying drawings, and in which:

**[0012]** FIG. 1. is a perspective view of an embodiment of a brewer for use with a brewing substance holder as set forth in the present disclosure;

**[0013]** FIG. 2 is an enlarged exploded perspective view of a drawer portion of the brewer removed from the brewer with a container or pod assembly positioned for placement therein;

**[0014]** FIG. 3 is an enlarged, exploded perspective view of the pod assembly;

**[0015]** FIG. 4 is a top plan view of the pod assembly as shown in FIG. 3;

**[0016]** FIG. 5 is an enlarged partial fragmentary cross-sectional view of the portion of the pod assembly taken along line 5-5 in FIG. 4;

**[0017]** FIG. 6 is a bottom plan view of the pod assembly as shown in FIG. 3; and

**[0018]** FIG. 7 is a side view of the pod assembly.

## **DETAILED DESCRIPTION**

**[0019]** While the present disclosure may be susceptible to embodiment in different forms, there is shown in the drawings, and will be described herein in detail, one or more embodiments with the understanding that the present description is to be considered an exemplification of the principles of the disclosure and is not intended to be exhaustive or to limit the disclosure to the details of construction and the arrangements of components set forth in the following description or illustrated in the drawings.

**[0020]** In general, a pod assembly for use in a brewer is disclosed. The pod assembly may be configured in one of many suitable configurations adapted to enable substantial containment of a brewing substance while at the same time, allowing brewing substance selection and accommodating varying amounts of the selected brewing substance. Although described for use in a single-serving single brewer, it is contemplated that the pod assembly described herein may also be utilized with other types of brewing devices, for example, with a French-press or plunger-type beverage maker.

**[0021]** As shown in FIG. 1, a single-serving brewer 20 includes a body 22, a base 24 and an upper portion 26. The upper portion 26 is configured to be positioned above a container such as a cup 28 for dispensing the brewed beverage into the cup 28. It should be noted that many different configurations of the single-serving brewers 20 can be utilized in conjunction with the various embodiments of the customized pod described in this

disclosure. For example, in addition to the single-server brewer manufactured by Bunn and described herein, single-serving brewers manufactured by Black & Decker, Krups, Home Café, Hamilton Beach, Mr. Coffee, Melitta, Senseo, Flavia, Keurig and Nespresso, to name a few, can be utilized in conjunction with the customized pods.

**[0022]** Terms including beverage, beverage making and brewing as used herein are intended to be broadly defined as including but not limited to the brewing of coffee, tea, herbs and any other brewed beverage. This broad interpretation is also intended to include, but is not limited to any process of infusing, steeping, reconstituting, diluting, dissolving, saturating or passing a liquid through or otherwise mixing or combining a beverage substance with a liquid such as water without a limitation to the temperature of such liquid unless specified. This broad interpretation is also intended to include, but is not limited to beverage substances such as ground coffee, tea, herbs, liquid beverage concentrate, powdered beverage concentrate, freeze dried coffee or other beverage concentrates, to obtain a desired beverage or other food.

**[0023]** While an embodiment of a container or pod assembly is described herein, it is contemplated that any form of beverage brewing substance container that substantially contains the brewing substance while allowing brewing substance selection, may be used. It is further contemplated that the present pod assembly could utilize other concentrates such as freeze dried concentrates, gel, liquid, powder or any other form of concentrate which will operate with the disclosed pod assembly as well as equivalents thereof and any modifications which might be required to modify the pod assembly to be used with such other substances, if necessary.

**[0024]** As shown in FIG. 1, the upper portion 26 of the single-serving brewer 20, includes a holder attached to a mounting portion 32 of the upper portion 26. The holder 30 has a drawer-like configuration to retain a volume of brewing substance in a predetermined position. With reference to FIG. 2, the holder 30 includes a wall 33 which defines a cavity 34 therein. The wall 33 defines an upper rim 36 defining an entry opening 38. While a holder 30 as described herein is shown as having a drawer-like configuration, it is contemplated that a variety of suitably configured holders may be used to retain the pod assembly described herein. For example, a variety of brewing devices as mentioned above might include a clam shell type of pod holder, as well as an espresso-type beverage holder. It



is envisioned that the pod assembly of the present disclosure may be configured to accommodate these various brewing apparatus.

**[0025]** As further shown in FIG. 2, a pod assembly 40 is shown. The pod assembly 40 as shown in FIG. 2 is elevated from or exploded from the cavity 34 of the holder 30. This positioning of the pod assembly 40 relative to the holder 30 is provided for clarity. In use, the pod assembly is positioned in the cavity generally with a top surface 42 of the pod assembly 40 positioned relative to and generally flush with a corresponding top surface 44 of the holder 30. As described herein and the other corresponding applications incorporated herein by reference, a water system delivers water to the holder 30 such that water is infused through the top portion 42 of the pod assembly 40 to infuse beverage brewing substance retained within the pod assembly 40. The brewed beverage passes through the brewing substance retained in the pod assembly and is dispensed through a dispensing hole 46 generally in the bottom of the cavity 34 of the holder 30.

**[0026]** With further reference to FIGS. 3-7, the pod assembly generally includes a first portion 50 and second portion 52. The first portion 50 and second portion 52 define a cavity 54 there between. Brewing substance is retained in the cavity for brewing within the holder 30. A first face 56 of the first portion 50 is provided with at least one opening 58. The openings 58 are covered with a foraminous or otherwise water permeable material 59. While the term mesh is used herein for convenience, the term is intended to be broadly interpreted to include any type of material, substance, or structure which retains the brewing substance but allows water and brewed beverage to pass therethrough. For example, a woven mesh or non-woven fabric made of plastic, metal or any other suitable material may be used. The mesh material may be of any suitable construction having an openness or porosity, compatible with the type of brewing substance used. Generally, the first portion 50 is formed with the mesh 59 retained therein either by attaching the mesh 59 portion in segments, sheets or otherwise over molding or attaching the mesh 59 to the first portion 50. While the term mesh is used, it is contemplated that any other suitable foraminous, water permeable or otherwise open material may be used to allow water to pass from the upper surface 42 of the first portion 50 into the cavity 54.

**[0027]** Likewise, the second portion 52 includes corresponding openings 60 which are covered by a suitable mesh material 61. The mesh 61 in the second portion 52 may be

attached by any suitable method including attaching portions in each opening 60, sheets, over molding or any other way in which the mesh 61 might be attached to the second portion 52. The mesh 61 in the second portion 52 may be the same as the first portion 50 or may be any suitably different opening dimension or mesh dimension to achieve a desirable result. In this regard, it may be desirable to provide a more open mesh in the upper portion to allow water to flood into the cavity for brewing and provide a tighter or smaller mesh in the second portion 52 to trap particles and other materials which might not be desirable for dispensing into a cup 28.

**[0028]** In use, a user will disengage the first portion 50 from the second portion 52 to separate the portions 50, 52 to provide access to the cavity 54. The user then places a desired quantity of brewing substance, such as coffee, within the cavity of the second portion 52 in preparation for infusing the substance with water to produce a brewed beverage. The user then places the first portion 50 over the second portion 52 and engages the two portions to hold the two portions 50, 52 in engagement and to prevent spilling of the brewing substance retained therein. The user then places the assembled pod assembly 40 into the cavity 34 of the holder 30 for brewing. The holder 30 is placed into the brewer for brewing a beverage. At the completion of a beverage brewing cycle, the user removes the pod assembly 40 from the holder 30 and disengages the first portion 50 from the second portion 52. The moist brewing substance in the cavity 54 can then be dislodged from the corresponding first and second portions 50, 52 for disposal. The interior surfaces of the first portion 50 and second portion 52 facilitate easy rinsing and cleaning. It may be desirable to fabricate the assembly 40 of suitable materials to facilitate and be durable for repeated cleaning such as by use of a dishwashing machine or manual washing.

**[0029]** With further reference to the figures, the assembly 40 includes a grip portion 62 and locking portion 64. The grip portion is shown on the first portion 50 in the form of protrusions. Any other form of gripping structure, such as suitably grippable material, such as an elastomeric material, knurled surfaces, or irregular shapes as well as any other form of gripping structure or material may be used for the grip 62. As shown and described in the present disclosure, the grip portion 62 is provided around the circumferential area of the first portion 50. This allows a user to hold the lower portion and hold the second portion 52 and grip the first portion 50 to disengage the locking structure 64. It is intended that the grip

portion be broadly interpreted to extend over all or part of the first portion 50 as well as include such structures or materials on the section portion 52, in addition to or in place of the grip portion on the first portion 50.

**[0030]** The second portion 52 may also include a holding or traction portion 68. The holding or traction portion 68 as shown in the illustrations as protruding ribs. As will be described in greater detail below, these ribs 68 also elevate the lower portion 52 off of the base or floor 70 of the holder 30 cavity 34 to allow brewed beverages to flow through the mesh 61 in the second portion 52. When disengaging the first portion 50 from the second portion 52, the user grips the gripping portion 62 and holds the second portion 52. The extending ribs 68 provide traction for resistance to prevent slipping of the second portion relative to the user's hand. The traction portion 68 may also take a variety of embodiments such as other shapes, structures or materials. It is envisioned that any form of traction structure may be used so as to help facilitate disengagement of the first and second portions. It should also be noted that actual structures may not be needed due to the shapes and portions of the pod assembly 40. In other words, the shape and structure of the second portion 52 may be such that it provides suitable traction to resist rotation when disengaging the first portion 50 from the second portion 52.

**[0031]** With reference to FIG. 5, it can be seen that the second portion 52 has an outer perimeter generally defined by a rim 72. The first portion 50 has a corresponding generally planar surface 74, relative to the rim 72. In this regard, the user can fill the second portion 52 with a suitable brewing substance and then strike or level the brewing substance in the second portion 52 relative to and across the rim 72. The view in FIG. 5 is inverted for consistency with the section line 5-5 in FIG. 4.) Alternatively, the user may leave a slightly rounded surface relative to the rim 72. In this regard, the slight overfill or "rounding" of the brewing substance in the second portion 52 may increase the quantity of brewing substance in the pod assembly 40. In this situation, when the user applies the first portion 50, the brewing substance retained in the cavity 54 may be slightly compressed by engagement of the first portion 50 and the second portion 52. This may be desirable, depending on the user's preference. Overfilling and compressing the brewing substance may result in producing a different flavor characteristic or other characteristic of the coffee as might be desired by a particular user. Regardless of the specific details of the resulting beverage, the

user will be able to exercise some degree of control in designing and repeating their desired beverage characteristics depending on how they fill the pod assembly.

**[0032]** As shown in the figures, the locking structure 64 includes an extending finger 80 and a corresponding engageable lug 82. The lugs and fingers may be carried on either structure 50, 52 for suitable engagement. The finger 80 shown on the first portion 50 includes an extending barb 86 which engages the corresponding lug 82. Generally, it is preferable to position the locking structures 64 outside of the cavity 54 to minimize the amount of brewing substance which might otherwise interfere with the operation of the locking structure.

**[0033]** As shown, three spaced apart locking structures 64 are spaced around the perimeter of the first and second portions 50, 52. While more or fewer locking structures may be provided, the illustration shows the three locking structures 64. These spaced apart structures provide some degree of balance when engaging the first and second portions 50, 52.

**[0034]** In use, when engaging the first portion 50 on the second portion 52, the user aligns the fingers with a corresponding recess 88 proximate to and in front of the corresponding lug 82. Once the finger 80 is positioned in the recess 88, the user positions the first and second portions 80, 82 together to close the cavity 54. In the closed position, the user can then rotate the first portion 50 relative to the second portion 52 to engage the barbs 86 underneath the corresponding lugs 82 and bring the fingers 80 and lugs 82 into engagement to retain the portions 50, 52 in engagement.

**[0035]** As an alternative embodiment, the first and second portions 50, 52 may be provided with a living or mechanical or otherwise assembled hinge and a corresponding locking structure. While the locking structure as described above with the rotational engagement of the finger and lug may not be applicable in this situation, it is envisioned that a similar snap feature may be used as an equivalent locking structure. For example, the finger and barb may be formed of a suitably flexible material or sliding engagement to allow displacement of the finger when engaging the barb with the corresponding lug. Additionally, this embodiment of the spring biased or snap finger and lug construction may be used in structures which do not have a hinge component. However, it is envisioned that there will be

some form of locating structure to facilitate locating an engagement of the first portion and second portion to align the first and second portions prior to engaging the locking structure.

**[0036]** In use, the user separates the first portion and second portion 50, 52 to place brewing substance in the cavity 54. If necessary, the user may then strike or compress the brewing substance in the cavity 54. The user brings the first portion into alignment with the second portion 52 prior to engagement. The user then engages the lock structures 64 to retain the first and second portions 50, 52 in engagement.

**[0037]** The assembled pod assembly 40 is placed into the cavity 34 of the holder 30. The holder 30 is placed into the brewer and the brew cycle is activated by the user. Heated water enters the brewing area and flows through the mesh 59 covering the openings 58 on the first portion 50. Water flows through the mesh 59 and into the brewing substance whereupon it infuses the brewing substance for extracting a brewed beverage. Brewed beverage flows through the brewing substance and out through the mesh 61 covering the openings 60 in the second portion 52. As the lower portion or base includes the ribs 68, coffee or beverage flowing through the mesh 61 flow through the void 90, defined between neighboring ribs 68, the corresponding surface of the second portion and the floor or bottom 70 of the cavity 34 to and through the hole 46 into the cup 28.

**[0038]** At the conclusion of the brewing cycle, the pod assembly 40 can be removed from the holder 30 and opened to remove the spent brewing substance. The grips 62 on the assembly 40 facilitate removal from the holder 30 even if the brewing substance is relatively warm. This allows a user who wants to repeatably brew beverage from the brewer to do so without being sensitive to warm brewing substance.

**[0039]** The first portion 50 is disengaged from the second portion 52 by rotating the first portion relative to the second portion. As described above, other configurations for engaging and disengaging the pod assembly can be developed based on the teachings of the present disclosure. These various embodiments are included within the scope of the disclosure. The user can then empty the spent brewing substance and rinse the interior surfaces of the cavity 54 for reloading with brewing substance. Additionally, the first and second portions 50, 52 may be fabricated of a dishwasher safe material to allow them to be placed in the dishwasher for cleaning and sanitizing for subsequent use.

**[0040]** It is envisioned that the mesh 59 in the first portion 50 and mesh 61 in the second portion 52 may be sized and dimensioned of a suitable material for use with a desired brewing substance. In this regard, as described above, the mesh materials 59, 61 in the first and second portions 50, 52 may be the same or may be formed of different materials or different sizes. In this regard, a more open or larger mesh size may be used in the upper portion 50 and smaller or tighter mesh portion may be used in the lower portion. Additionally, it is envisioned that mesh may not be used but a foraminous surface, non-woven fabric or any other suitable structure that generally retains larger particle, such as brewing substance and allows liquids such as water and brewed coffee to pass there through. It is also envisioned that other configurations of mesh may be used in the first and second portions for use with other brewing substances such as herbs, teas or any other substance that might be used. In other words, the mesh portions can be configured to provide a matched flow of water into and beverage out of the cavity depending on the brewing substance used. For example, if it is desirable to allow a large quantity of water to rush into the cavity 54, depending on the brewing substance and restrict the outflow, the inlet mesh can be relatively larger or more porous, while the outlet mesh can be relatively smaller or less porous. Also, by way of example but not limitation, a larger mesh may be used on both ends to produce a lighter beverage, such that the contact time of the water and brewing substance is reduced allowing less contact and lighter beverage production. It is also envisioned that the openings 58, 60 which are covered by the mesh may be devised or otherwise shaped in a variety of configurations and geometries to produce various effect on the brewing process and achieve various results. The various configurations and geometries are within the scope of the present disclosure and incorporated herein.

**[0041]** Further details of the configuration and operation of the single-serving brewer 20 can be found in related provisional applications entitled "Apparatus, System and Method for Infusing a Pre-Packaged Pod (Atty. Docket No. 27726-95094) filed February 9, 2004, "Apparatus System and Method for Retaining Beverage Brewing Substance" (Atty. Docket No. 27726-95093) filed February 6, 2004, and "Pod Brewer Design" (Atty. Docket No. 27726-95113) filed February 10, 2004. Additional information relating to adjustable controlling the single-serving brewer 20 can be found in a related provisional application entitled "Adjustable Volume Brewer" (Atty. Docket No. 27726-95059) filed Nov. 7, 2003,

U.S. Provisional Application No. 60/518,039. Additional information related to a spray head system and method for delivering water to the brewing assembly of the single-serving brewer 20 can be found in U.S. Provisional Application entitled "Water Delivery System, Method and Apparatus" (Atty. Docket No. 27726-95058) filed November 7, 2003, U.S. Provisional Application No. 60/518,411. Additional information related to beverage making apparatus which uses loose coffee and related devices and methods of use can be found in U.S. Provisional Application entitled "A Beverage Making Apparatus and Method Using Loose Beverage Substances" (Attorney Docket No. 27726-95865) filed April 2, 2004, U.S. Provisional Application No. 60/560,033. Information about a pod holder with a removable insert can be found in U.S. Provisional Application entitled "Pod Holder with Removable Insert" (Attorney Docket No. 27726-96741) filed May 28, 2004, U.S. Provisional Application No. 60/575,235. Information about a beverage making apparatus which uses loose coffee and related devices and methods of use can be found in US Provisional Application entitled "A Beverage Making Apparatus and Method Using Loose Beverage Substance" (Attorney Docket No. 27726-97275) filed September 1, 2004, U.S. Provisional Application No. 60/606,233. Each of the above-referenced applications and the materials set forth therein is incorporated herein by reference in its entirety.

**[0042]** While embodiments have been illustrated and described in the drawings and foregoing description, such illustrations and descriptions are considered to be exemplary and not restrictive in character, it being understood that only illustrative embodiments have been shown and described and that all changes and modifications that come within the spirit of the invention are desired to be protected. The applicants have provided description and figures which are intended as illustrations of embodiments of the disclosure, and are not intended to be construed as containing or implying limitation of the disclosure to those embodiments. There are a plurality of advantages of the present disclosure arising from various features set forth in the description. It will be noted that alternative embodiments of the disclosure may not include all of the features described yet still benefit from at least some of the advantages of such features. Those of ordinary skill in the art may readily devise their own implementations of the disclosure and associated methods, without undue experimentation, that incorporate one or more of the features of the disclosure and fall within the spirit and scope of the present disclosure.

**CLAIMS:**

1. A beverage maker using a reusable container for making a beverage.
2. A reusable container for use with a beverage maker.
3. A beverage maker using a selectively fillable container.
4. A selectively fillable chamber.
5. A method of making a beverage using a reusable container.
6. A method of making a beverage using a selectively fillable container.



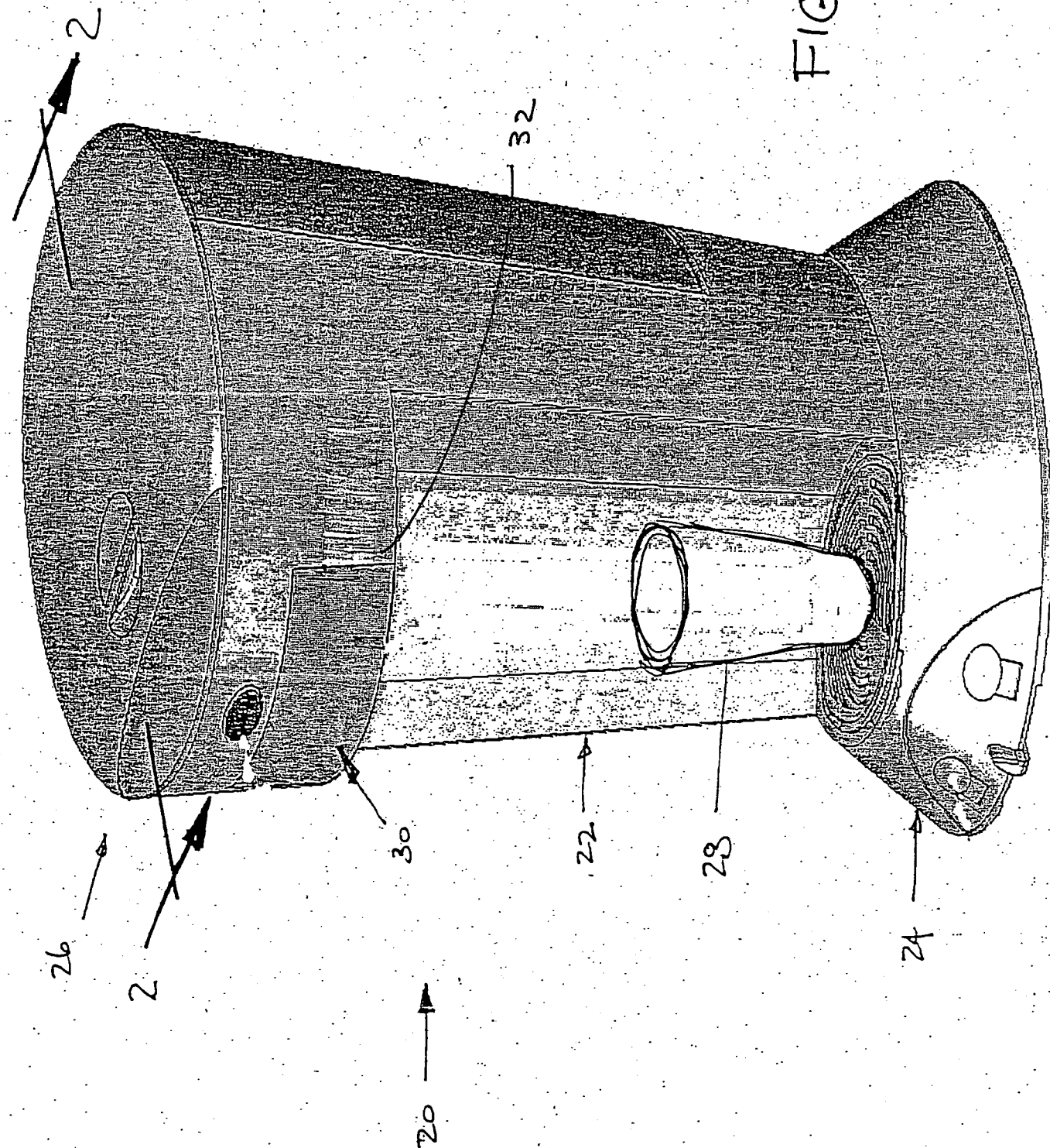
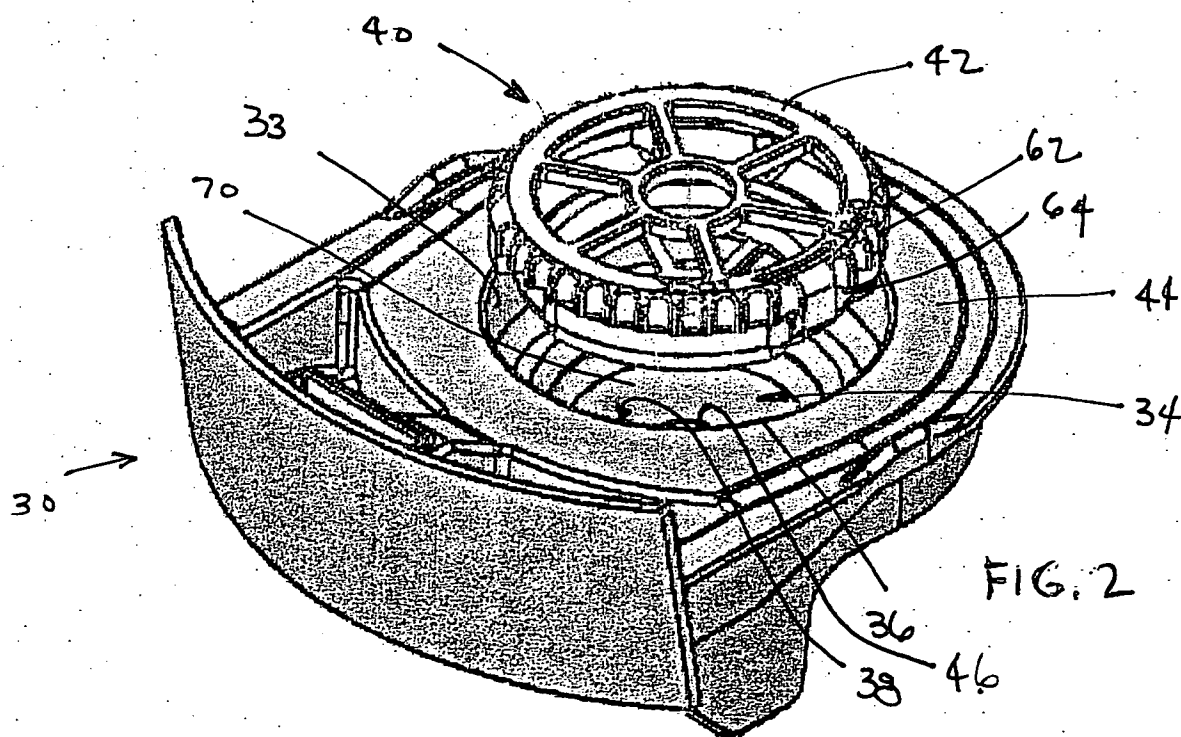
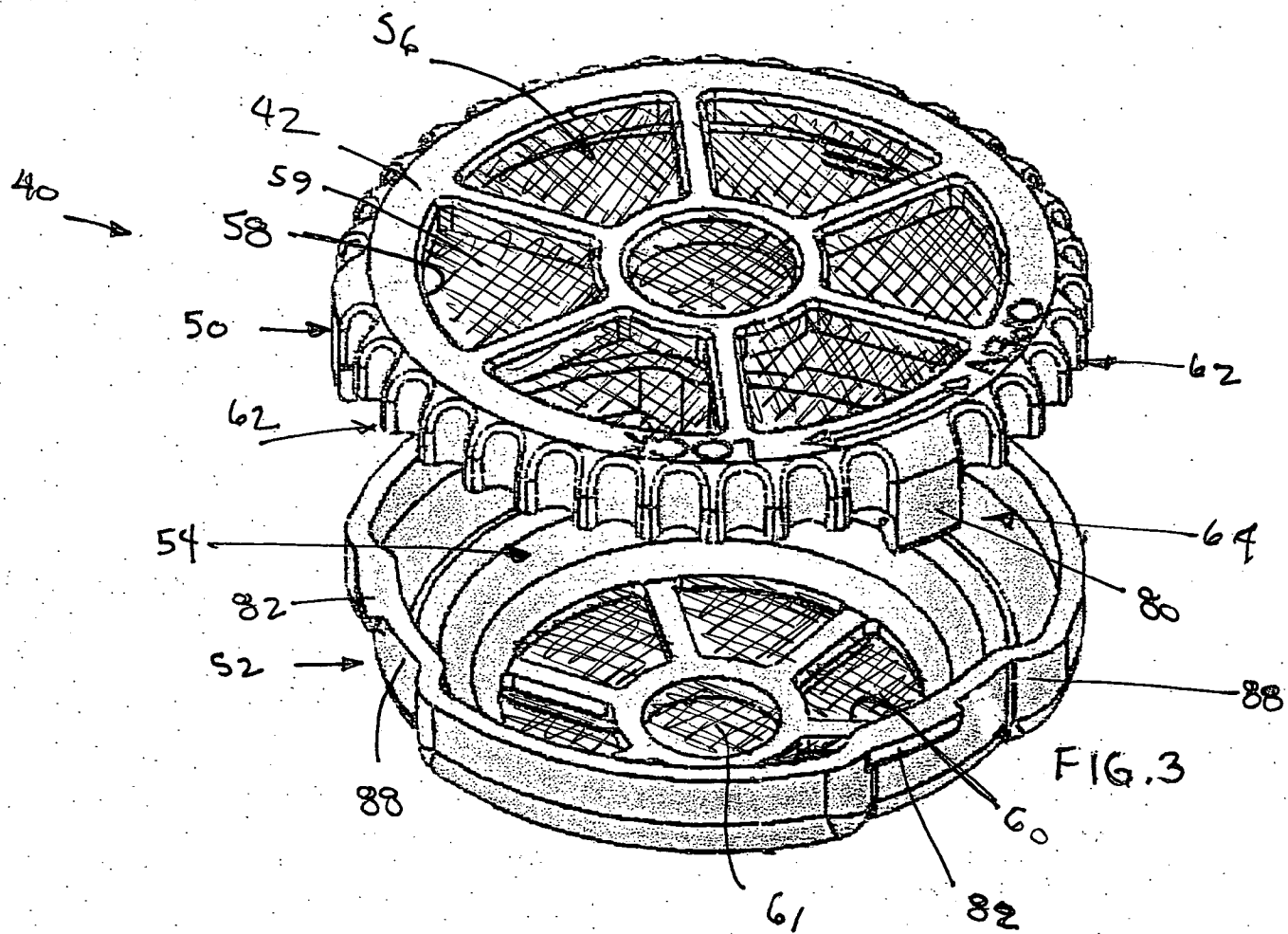
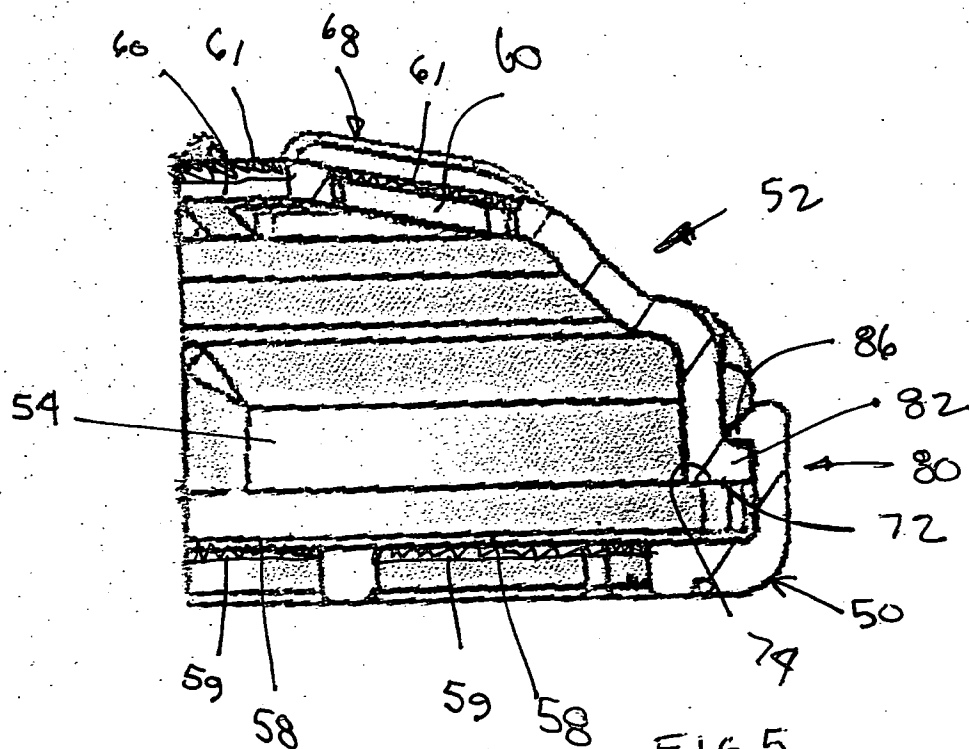
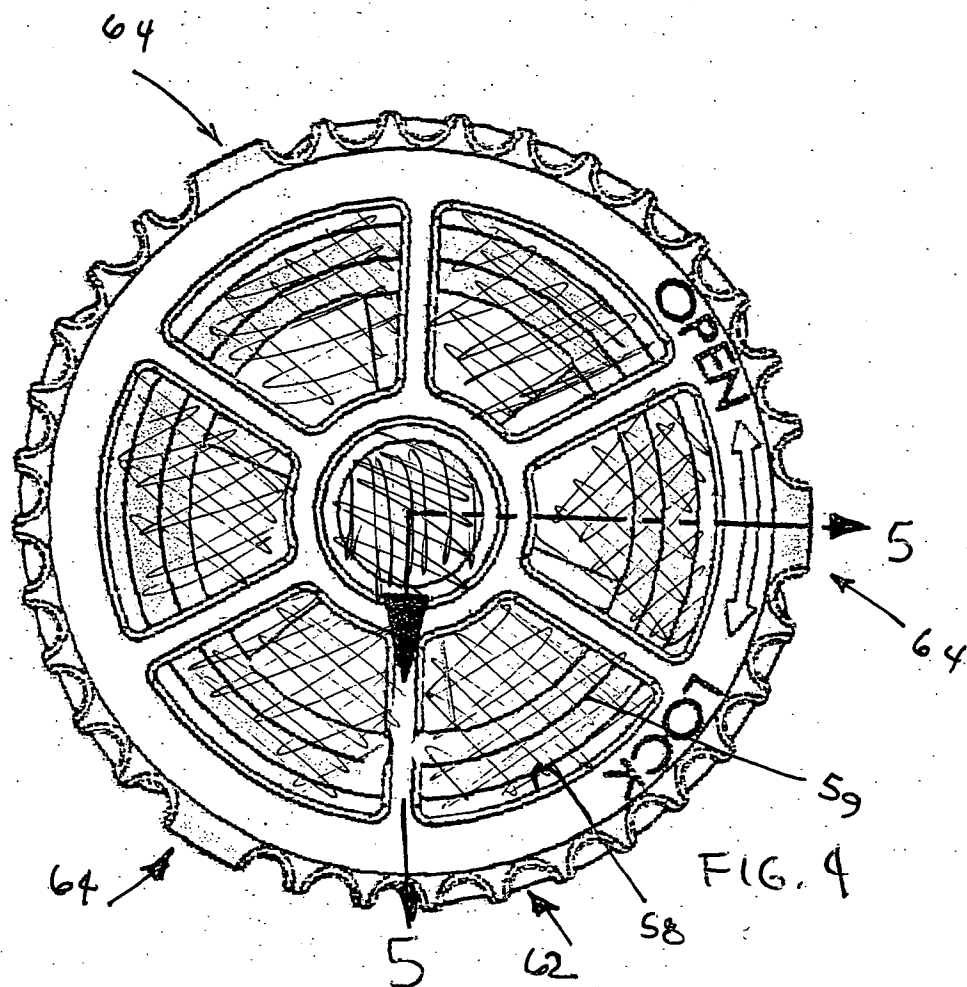


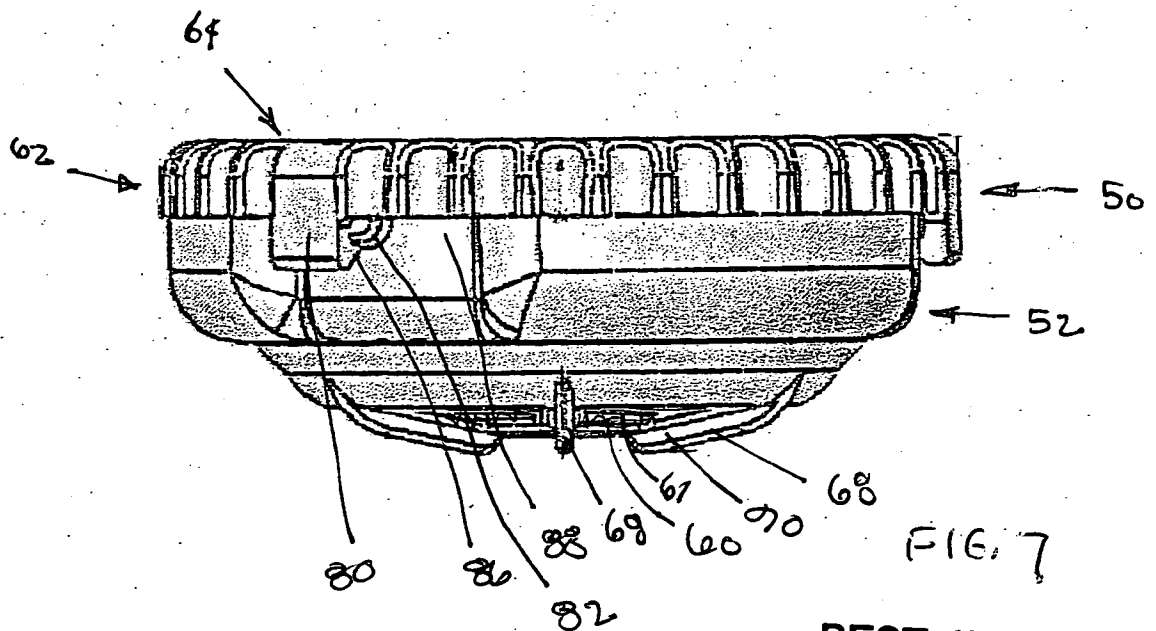
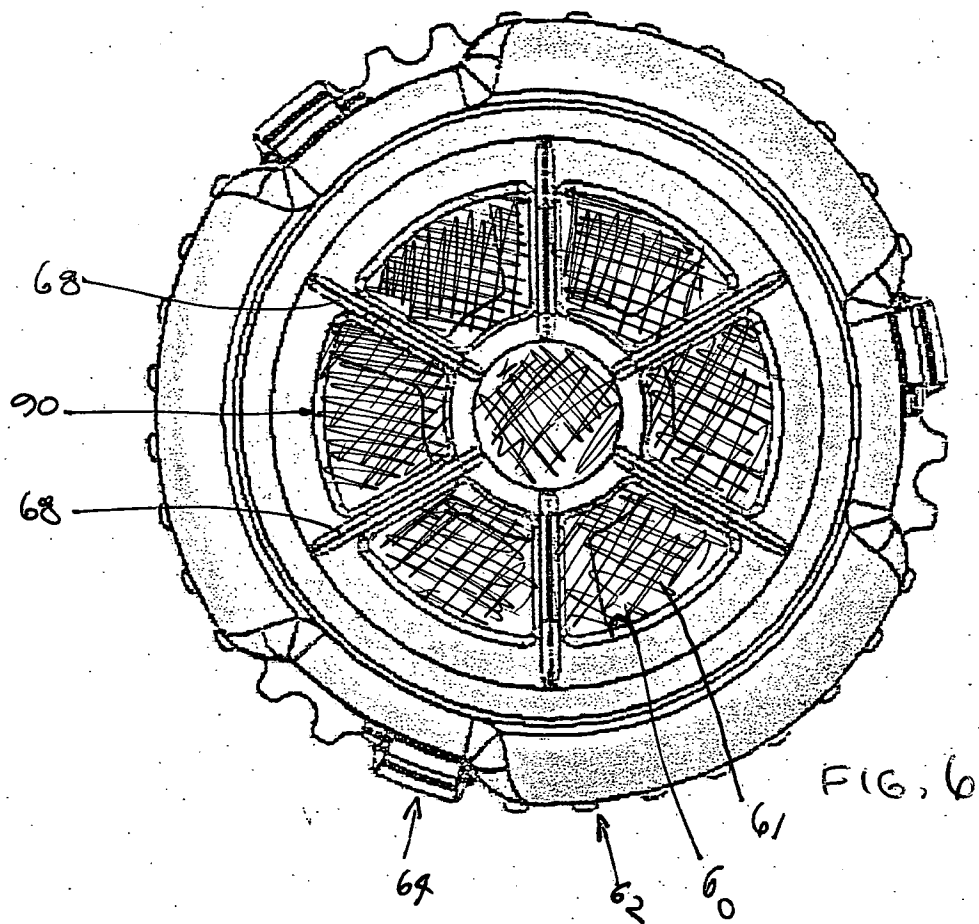
FIG. 1



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PATENT/DOCKET NO. 27726-97597

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.:

**Filed:**

**Title: LOOSE COFFEE POD  
APPARATUS, SYSTEM AND METHOD**

## POWER OF ATTORNEY FOR PATENT APPLICATION

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All communication regarding this application should be directed to: Grant H. Peters, 312 214-8332.

Nov 08, 2004

Date:

Bun-O-Matic Corporation



Name: Robert J. Kobylarz

Title: Vice President,  
Engineering and Product Development

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**



Declaration  
Submitted  
With Initial  
Filing

OR



Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number

27726-97597

First Named Inventor

Randy D. Pope

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**LOOSE COFFEE POD APPARATUS, SYSTEM AND METHOD**

*(Title of the Invention)*

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

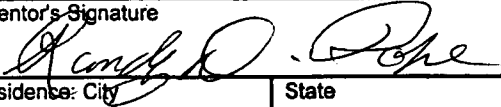
[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:	<input checked="" type="checkbox"/> The address associated with Customer Number:	<div>23644</div>	OR	<input type="checkbox"/> Correspondence address below
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any))		Family Name or Surname		
Randy D.		Pope		
Inventor's Signature			Date	
			08/11/04	
Residence: City	State	Country	Citizenship	
Edinburg	Illinois	USA	USA	
Mailing Address				
212 Douglas, Box 361				
City	State	Zip	Country	
Edinburg	Illinois	62531	USA	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any))		Family Name or Surname		
Inventor's Signature		Date		
Residence: City	State	Country	Citizenship	
Mailing Address				
City	State	Zip	Country	
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.				